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January 25, 2008

VIA ECF

The Honorable Richard J. Sullivan, U.S.D.J.
United States District Court
Southern District of New York
United States Courthouse
500 Pearl Street
New York, New York 10007

Re: Conopco, Inc. v. Travelers Casualty and Surety Co., et al.
Docket No. 07-CV-06085 (RJS)

Dear Judge Sullivan:

This firm represents the Plaintiff, Conopco, Inc., in the above-referenced action. At the initial conference before Your Honor on December 13, 2007, counsel for the Defendant represented that settlement documents were being prepared and would be transmitted to counsel for the Plaintiff shortly. Your Honor directed Travelers to provide those settlement documents by January 4, 2008, a date by which Travelers' counsel anticipated being able to do so. However, on January 8, 2008, we received only a portion of the settlement documents, addressing only the issue of missing policies. This draft was totally unacceptable to Plaintiff, in part because Travelers added a new, very onerous provision that Travelers had not included in prior drafts of this agreement. To date, Travelers has not provided a draft of the settlement agreement itself, notwithstanding its assurance that such a draft would be forthcoming during the week of January 14, 2008.

Although Plaintiff believes that Travelers' counsel is making good faith efforts to produce timely drafts and to offer settlement terms that have a fighting chance of resolving this matter, it is now clear that the parties are much further apart on settlement than we believed at the time of the initial conference. While Plaintiff remains willing to continue the settlement process such that it is, we believe that this litigation should move forward with all appropriate speed. Accordingly, Plaintiff respectfully requests this Court's permission to file a motion for partial summary judgment on the issues of missing policies and the number of occurrences the underlying asbestos claims constitute under those policies.

Respectfully submitted,


Jeffrey L. Schulman

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cc: Robert W. Mauriello, Jr., Esq. (via ECF)